

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GERARD A MCHALE,  
Plaintiff,

v.

SILICON VALLEY LAW GROUP,  
Defendant.

Case No. [10-cv-04864-JCS](#)

**FINAL VERDICT FORM**

Dated: September 16, 2013

  
JOSEPH C. SPERO  
United States Magistrate Judge

We, the jury, unanimously agree to the answers to the following questions and return them under the instructions of this Court as our verdict in this case.

- 1. Do you find that Plaintiff GERARD A. McHALE, P.A., TRUSTEE OF THE 1031 DEBTORS LIQUIDATING TRUST (the “BANKRUPTCY TRUSTEE”), has proved by the preponderance of the evidence that SILICON VALLEY LAW GROUP was negligent?**

\_\_\_\_\_ Yes

\_\_\_\_\_ No

If your answer to Question 1 is “Yes,” please answer Question 2. If your answer to Question 1 is “No,” do not answer any further questions. Please have the Jury Foreperson sign and date this Verdict Form and return it to Ms. Karen Hom.

2. Do you find that BANKRUPTCY TRUSTEE has proved by a preponderance of the evidence that SILICON VALLEY LAW GROUP's negligence was a substantial factor in causing harm to 1031 Advance?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

If your answer to Question 2 is "Yes," please answer Question 3. If your answer to Question 2 is "No," do not answer any further questions. Please have the Jury Foreperson sign and date this Verdict Form and return it to Ms. Karen Hom.

1       **3. What amount of money do you find to be the monetary damage sustained by 1031**  
2       **Advance, Inc. which the BANKRUPTCY TRUSTEE has proved by the**  
3       **preponderance of the evidence?**

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17                               Please answer Question 4.  
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1       **4. Comparative fault: Do you find that SILICON VALLEY LAW GROUP has proved**  
2       **by a preponderance of the evidence that 1031 Advance was negligent?**

3               \_\_\_\_\_ **Yes**

4               \_\_\_\_\_ **No**

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16               If your answer to Question 4 is “Yes,” please answer Question 5. If your answer to  
17       Question 4 is “No,” please go directly to Question 7.  
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1       **5. Comparative Fault: Do you find that SILICON VALLEY LAW GROUP has proved**  
2       **by a preponderance of the evidence that 1031 Advance’s negligence was a substantial**  
3       **factor in causing harm to 1031 Advance?**

4       \_\_\_\_\_ **Yes**                      \_\_\_\_\_ **No**

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17       If your answer to Question 5 is “Yes,” please answer Question 6. If your answer to  
18       Question 5 is “No,” please go directly to Question 7.  
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6. What percentage of responsibility for 1031 Advance's harm do you assign to:

**SILICON VALLEY LAW GROUP** \_\_\_\_\_%

**1031 ADVANCE, INC.** \_\_\_\_\_%

Please answer Question 7.

1       **7. Do you find that SILICON VALLEY LAW GROUP has proved by a preponderance**  
2       **of the evidence that the conduct of Edward Okun was a superseding cause of 1031**  
3       **Advance's damage?**

4       \_\_\_\_\_ **Yes**                      \_\_\_\_\_ **No**

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17       If your answer to Question 7 is "No" do not answer any further questions. Please have the  
18       Jury foreperson sign and date this verdict form and return it to Ms. Karen Hom. If your answer to  
19       Question 7 is "Yes," please answer Question 8.  
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1 **8. How much of the monetary damage you found in response to Question 3 was caused**  
2 **by the superseding conduct of Edward Okun?**

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SIGNATURE OF FOREPERSON \_\_\_\_\_